



PLANNING COMMISSION
Draft Meeting Notes of January 19, 2022

Commissioners present: Gary Walvatne, Charles Mathews, Scott Erwin, John Carr, Joel Metlen, Carrie Pellett, and Bayley Boggess.
Council Liaison not present: William Relyea
Public: Lisa Keeney
Staff present: Darren Wyss, Planning Manager, Associate Planner Chris Myers, Associate Planner, Betty Avila, Bill Monahan, City Attorney, and Lynn Schroder, Administrative Assistant

The meeting video is available on the City website.

1. Call To Order and Roll Call

Chair Walvatne called the meeting to order at 6:35 pm.

2. Public Comment Related To Land Use Items Not On The Agenda

None.

3. Approval of Meeting Notes: [11.17.2021](#) and [12.15.2021](#)

Commissioner Erwin requested grammatical corrections to the 11/17/21 meeting notes. Commissioner Carr moved to approve the meeting notes for 11/17/21 and 12/15/21, as corrected. Commissioner Mathews seconded. **Ayes: Mathews, Pellett, Erwin, Carr, Metlen, and Walvatne. Nays: None. Abstentions: Boggess. The motion passed 6-0-1.**

4. Election of Chair and Vice-Chair

Commissioner Mathews nominated Gary Walvatne as Chair. Commissioner Pellett seconded. Commissioners elected Gary Walvatne to serve as Chair for one year. **Ayes: Metlen, Pellett, Mathews, Boggess, Erwin, and Carr. Nays: None. Abstentions: Walvatne. The motion passed 6-0-1.**

Commissioner Pellett nominated Charles Mathews as Vice-Chair. Commissioner Erwin seconded. Commissioners elected Charles Mathews to serve as Vice-Chair for one year. **Ayes: Metlen, Pellett, Walvatne, Boggess, Erwin, and Carr. Nays: None. Abstentions: Mathews. The motion passed 6-0-1.**

5. Public Hearing: [MISC-21-13 A Proposal for a Two-Year Extension Request for DR-18-03](#)

Chair Walvatne explained the hearing procedures. He opened the public hearing to consider a request by Ali and Nina Ladha to approve a two-year extension to the previously approved Class II Design Review (DR-18-03) and Class I Variance (VAR-18-01) for a 5-unit attached multi-family housing project located at 20312 Noble Lane.

City Attorney Monahan addressed the burden of proof, criteria, and appeal rights. The substantive criteria for the application are CDC Chapter 99.325: Extensions of Approval. The hearing was conducted according to the provisions of CDC Chapter 99.170.

City Attorney Monahan addressed Planning Commission conflicts of interest, ex parte contacts, and

jurisdiction and bias challenges. No Commissioner declared a conflict of interest, bias, or ex parte contact. There were no objections to the Commissioners' jurisdiction or impartiality on the application.

Associate Planner Betty Avila presented a staff report. She recommended approval of the application with four proposed conditions.

Commissioner Metlen asked what changes to the CDC have been made since March 2019 that apply to the application. Avila replied that no changes to the CDC that would impact this application had been made since March 2019.

Commissioner Mathews asked how many extensions an applicant can receive. Planning Manager Wyss replied that the CDC is unclear on how many extensions an applicant can receive.

Robert Price, a representative for the applicant, presented the proposal.

Commissioner Erwin commented on the need for housing.

Chair Walvatne opened the public comment. Lisa Keeney asked about parking for the project.

Robert Price addressed the parking requirements.

Chair Walvatne closed the public hearing, and Commissioners deliberated.

Commissioner Carr moved to approve MISC-21-13 with four existing conditions of approval set forth by the Planning Department of West Linn in the January 19, 2022 Staff Report. Commissioner Matthews seconded. **Ayes: Mathews, Metlen, Pellett, Walvatne, Boggess, Erwin, and Carr. Nays: None. Abstentions: None. The motion passed 7-0-0.**

6. Public Hearing: [CDC-21-01 FEMA Floodplain Code Amendments](#)

Chair Walvatne explained the legislative hearing procedures. He opened the public hearing to consider a proposal to amend Chapters 2 and 27 of the West Linn Community Development Code, including amendments implementing the Federal Emergency Management Agency (FEMA) minimum requirements for the regulated floodplain and associated definitions.

City Attorney Monahan addressed applicable standards and appeal rights. The Commission's decision must be based on consideration of:

- 1) the statewide planning goals and administrative rules adopted under ORS Chapter 197,
- 2) applicable federal or state statutes or rules,
- 3) applicable plans and rules adopted by Metro, and
- 4) the City's comprehensive plan and development code.

City Attorney Monahan addressed Planning Commission conflicts of interest, jurisdiction, and bias challenges. No Commissioner declared a conflict of interest, bias, or ex parte contact. There were no objections to the Commissioners' jurisdiction or impartiality on the application.

Associate Planner Myers presented the staff report. Myers noted that the Planning Commission met on October 20, November 3, and November 17, 2021 to discuss and review potential changes. Staff recommended that the Planning Commission recommend to the West Linn City Council approval of Ordinance 1732, adopting amendments to West Linn CDC Chapters 2 and 27.

Commissioner Carr asked if the definition changes would impact on other parts of the CDC. Myers noted that new definitions were added, but the changes did not affect other parts of the CDC.

There was no public testimony.

Chair Walvatne closed the public hearing, and Commissioners deliberated.

Commissioner Carr moved to recommend that the City Council approve CDC-21-01 by adopting Ordinance 1732 as presented. Commissioner Erwin seconded. **Ayes: Mathews, Metlen, Pellett, Walvatne, Boggess, Erwin, and Carr. Nays: None. Abstentions: None. The motion passed 7-0-0.**

7. Items Of Interest From The Planning Commission

Commissioner Mathews asked about the Athey Creek Middle School LUBA appeal. City Attorney Monahan replied that the briefs had been completed and scheduled oral arguments.

Commissioner Mathews asked about laws requiring homeowners to park in their garages. Commissioners discussed current Code requirements for parking. Commissioner Pellett suggested reaching out to other jurisdictions on their parking requirements.

Chair Walvatne asked that the signatures on city documents be more legible. Mathews suggested that the City Manager issue a directive.

Walvatne noted that the Savanna Oaks Neighborhood Association sent a letter to the City asking for a public hearing on the detailed engineering design of the proposed roundabout on Willamette Falls Drive near Fields Bridge. He stated that the Willamette Neighborhood Association had authorized a similar letter.

8. Items Of Interest From Staff

None.

9. Adjourn

Chair Walvatne adjourned the meeting at approximately 8:09 pm.